

**Testimony Leo Ettleman of Missouri River Basin Stakeholder
at April 17, 2019, Hearing before the U.S. Senate Committee on Environment and
Public Works on the United States Army Corps of Engineers' Flood Risk
Management and Recovery Efforts within the Missouri River Basin as It Pertains to
the March 2019 Flooding Event**

I. Introduction

Thank you for giving me the opportunity to speak on this very important matter. I speak not only for my family and myself, but I speak for the thousands of stakeholders along the Missouri River whose communities and ways of life are literally being sacrificed by atypical and catastrophic flooding caused by their own Government that began in 2007 and continues due to the U.S.A.C.E. ("Corps") and the Fish and Wildlife Service adopting the Missouri River Recovery Program ("MRRP") as mandated by Congress. It is my firm belief that the atypical frequent and severe flooding that began in 2007 and continues was and is being caused by the government-authorized MRRP actions of the Corps and the Fish and Wildlife Service in changing the way it manages the Missouri River ("River") for the purpose of benefiting the interests of the Missouri River Basin ("Basin") ecosystem and its fish and wildlife, while deprioritizing flood control for Basin stakeholders.

I am here today as a Basin stakeholder to give testimony concerning the Corps' flood risk management of the River with respect to the March 2019 flood event that occurred within the Basin. I am a life-long farmer within the Basin with farming operations in and around Percival, Iowa. I am the President of Responsible River Management, a member of the Missouri River Recovery Implementation Committee. I was also appointed by General John McMahon to the Missouri River Flood Task Force following the 2011 flood. I am also a plaintiff in the Fifth Amendment inverse condemnation taking case of

Ideker, et al. v. United States pending in the United States Court of Federal Claims which seeks just compensation for the damages to hundreds of Basin stakeholders caused by the Corps' paradigmatic change in its River management policies due to the adoption of the MRRP in 2004.

My testimony will first address the Corps' flood risk management *once flooding was imminent* in March, 2019 and then its changes in flood risk management pursuant to its adoption and implementation of the MRRP that contributed to the 2019 flooding. This Committee cannot gain a proper understanding of whether and how the Corps' flood risk management contributed to cause the 2019 flooding and how such flooding can be prevented in the future without understanding how the Corps' flood risk management under the MRRP not only contributed to cause the 2019 flooding, but the ongoing flooding that started soon after the adoption of the MRRP. The cause of the 2019 flooding cannot be looked at in isolation. Rather, it must be viewed in the context of the flooding in 2007, 2008, 2010, 2011, and 2013-2018 which are inextricably intertwined and, in my opinion, as well as the opinions of experts in the field, directly caused by the Corps' adoption and implementation of the MRRP to benefit the Basin ecosystem and its fish and wildlife.

II. Corps' Flood Risk Management Once 2019 Flooding Was Imminent

As to the Corps' flood risk management once the 2019 flooding was imminent, I would point out that during past floods, including the 2011 flood, the Omaha District of the USACE was very responsive and stayed in close communication with local levee sponsors and communities. That played a major role in not only protecting human life, but in limiting flood damage to property. However, that was not the case as to the 2019 flood.

This flooding event happened quickly and essentially without warning from the Omaha District. The Omaha District of the USACE provided little communication with local levee sponsors and officials. Moreover, the information that was received from the Omaha District of the USACE was outdated by up to 24 hours and was not reliable. As a result, Basin residents were not able to make timely and informed decisions to protect human life and property such that millions of dollars of equipment and stored grain were lost as well as other private property. The Corps must do a better job of communicating with Basin stakeholders concerning future flooding events so as not to unduly endanger human life and property.

Also the USGS stream gauge readings and National Weather Service data was not current or accurate. Actual river crest levels were two, and in some locations, three feet higher than the information relayed on the NWS web site. This inaccurate information was consistent from the Omaha gauge through central Missouri. This inaccurate information gave stakeholders a false sense of security as to evacuation , relocation etc. Levee sponsors and stakeholders watch these websites numerous times daily during flood events and rely heavily on them.

III. Corps' Flood Risk Management After the Adoption and Implementation of the MRRP in 2004 and the Role It Played in Causing an Increase in the Frequency and Severity of Flooding

In testifying with respect to the Corps' long-term flood risk management leading up to the 2019 flooding event, the Corps, and Fish and Wildlife Service in 2004, adopted the MRRP, as mandated by Congress pursuant to the Endangered Species Act ("ESA") and other acts such as the National Environmental Protection Act, which resulted in significant

changes in its overall River management policy to benefit the Basin ecosystem and fish and wildlife that had suffered under the Corps' pre-MRRP flood control management.¹ These MRRP Changes have played a major role in causing all the flooding since 2004, including 2019, flooding that would not have been as frequent and severe but for those changes.

The Corps' adoption and implementation of the MRRP caused fundamental changes in how it managed the River in two respects. First, it changed how the Corps operates the Missouri River Mainstem Reservoir System ("System") dams and reservoirs involving the storage and release of water in and from the System reservoirs. Second, it changed how it operates and maintains the Bank Stabilization and Navigation Project ("BSNP") river-control structures. These MRRP System and BSNP Changes have worked to lessen and deprioritize flood control as the first priority of the Corps' management of the River.

While Mother Nature plays a role in providing water for flooding, the fact is that the manner in which that water is managed by the Corps plays a major role in whether that water ultimately results in the type of flooding that has been devastating the Midwest since the adoption and implementation of the MRRP in 2004. This management consists of operating the System, pursuant to the Master Water Control Manual, with respect to storing water in the System reservoirs and releasing water from the System dams. It also consists

¹ Prior to using the phrase "flood risk management," the Corps and others, including our Federal Courts, routinely referred to its management in this context as "flood control management." In my opinion that this change was not substantive in nature but simply done to gain a psychological advantage in investigations and lawsuits considering whether the Corps' actions had led to increased flooding.

of operating and maintaining the BSNP river-control structures to control the velocity and direction of the water once it enters the River channel from the System releases and the runoff below the dams. So, regardless of whether the increase in the volume of water in the River Channel that must be managed by the Corps comes from above or below the dams, the Corps' flood risk management of the River plays a major role in whether or not the water in the channel will result in flooding and what the severity and duration of any such flooding will be. Experts who have investigated and studied the flooding since 2004 have determined that much of the devastation from the flooding that has occurred would have been avoided if the Corps had not implemented the MRRP System and BSNP Changes to benefit Basin ecosystem and its fish and wildlife.

Although the System and BSNP Changes are both part of the Corps' adoption and implementation of the MRRP, as authorized by Congress, the manner in which they contribute to cause flooding in each of the flood years since 2004 differs mechanically. The System Changes deal with the volume and timing of water that is released from the System dams that is then managed by the BSNP river-control structures. MRRP System Changes have led to a greater volume of water being in the channel of the River at critical times than otherwise would have been but for those changes resulting in flooding that would not have occurred otherwise. The BSNP Changes, however, deal with how an increase in the volume of water in the river channel is managed, regardless of whether that increase is due to System Changes or increased runoff below the System dams.

The BSNP Changes, including notching wing dikes, purposively allowing wing dikes to degrade, and re-establishing natural chutes, have resulted in a geomorphological

change in the River since 2004 so that the velocity of the channel water during high-water events is being slowed and directed into the floodplain rather than downstream, as was the case pre-MRRP. This change is to benefit the Basin ecosystem and create habitat and food for fish and wildlife which resulted in an increase in the frequency and severity of flooding in the Basin that would not have occurred otherwise.

IV. Analysis of the Role of Corps' Flood Risk Management in Causing the Flooding Since 2004, Including 2019, Cannot Focus Solely on MRRP System Changes – Must also Analyze Role of MRRP BSNP Changes

Despite the interactive roles of the MRRP System and BSNP Changes in causing flooding, most of the debate on and the analysis of the Corps' flood risk management actions in causing the flooding in question has unfortunately centered primarily on the System Changes, which are codified in the 2004-2006 Master Manual that revised the 1979 Master Manual. In fact, in discussing the 2019 flooding, the Corps predictably appears to have focused solely on System operations and why those operations alone cannot account for the 2019 flooding, conveniently choosing to ignore the BSNP Changes which it well knows plays a significant role in determining whether the MRRP Changes contributed to cause the 2019 flooding. This approach allows the Corps to stay on message in defending against claims that its adoption and implementation of the MRRP has led to an atypical increase in the frequency and severity of flooding. However, it is disingenuous and totally ignores and distorts the significance of the BSNP Changes in causing such flooding whether the increase in runoff occurs above or below the System Dams. Studies have shown that much of the devastation resulting from flooding since 2004 would have been

avoided but for the BSNP Changes modifying the BSNP river-control structures that were put in place to lessen the flow of water into the floodplain during high-water events.

As a result of the BSNP Changes, the River can no longer handle the same volume of water. It is indisputable that since the adoption and implementation of the MRRP, the River now runs slower and rises more quickly, making it much more prone to flooding especially during the high-water events created by Mother Nature – events that the Corps knows historically are inevitable and have to be factored in with respect to any flood risk management decisions it makes. Those events are not the exception – they are the rule in flood risk management of the River.

Prior to the MRRP, the Corps in making flood risk management decisions considered and was influenced by what would happen during the high-water events that routinely occurred in the Basin. As such, when the Corp adopted the MRRP as the blueprint for flood risk management thereafter, in determining whether the MRRP System and BSNP Changes would lead to increased flooding, those changes had to be viewed in the light of what would happen when the inevitable high-water events occurred. It is nonsense to suggest that although the Corps' calculus of flood risk management pre-MRRP considered inevitable high-water events, its post-MRRP decisions did not include or should not have included consideration of such events. So, for the Corps to now act as if this increase in the frequency and severity of flooding was never contemplated with the adoption and implementation of the MRRP, is disingenuous and appears to be nothing but an excuse to defect from the real culprit – the adoption and implementation of the MRRP

decreasing the priority given in river management to flood control in order to increase the priority to be given to the Basin ecosystem and fish and wildlife.

V. MRRP BSNP Changes Made to Reconnect the River to the Floodplain to Benefit Basin Ecosystem and Fish and Wildlife After the Corps Had Previously Disconnected the River from the Floodplain to Provide Flood Control

As a result of BSNP Changes, water in high-water events is being directed into the floodplain rather than downstream. According to the Corps, this directing of the water into the floodplain, rather than the channel, was purposeful in order to “re-connect” the River to the floodplain to benefit the Basin ecosystem and provide food and habitat for fish and wildlife. This, of course, is exactly the reverse of what the Corps had done under its old River management policy giving flood control first priority at all times, which was to “disconnect” the River from the floodplain using the BSNP river control structures to direct the water downstream at a high velocity. While disconnecting the River from the floodplain provided for vertical drainage of high volumes of water, favoring flood control, the reconnection of the River promoted horizontal drainage of high volumes of water into the floodplain to benefit the Basin ecosystem and fish and wildlife.

Of special interest with respect to the BSNP Changes is the fact that a disproportional number of the Corps’ modifications to the BSNP river-control structures are located in the southeast corner of Nebraska, the southwest corner of Iowa and the Northwest corner of Missouri below Omaha. This would appear to be a de facto seventh reservoir of the System where the Corps, realizing the inevitable increased flooding that would be caused by the MRRP Changes and the need to dump the overflows to protect St. Joseph and Kansas City to the south. In other words, the Corps made a flood risk

management decision to sacrifice the property of the stakeholders in that are to bear the brunt of the damage that would be inevitable due to increased flooding caused by the MRRP.

VI. Roles of MRRP System and BSNP Changes in Increased Flooding

For each year of flooding since 2004, the degree of contribution of the System and BSNP Changes in causing the flooding varies depending on where the increase in the Basin runoff occurred, either above or below the System dams. For example, in 2011, the significant increase in the volume of water in the channel resulted from runoff above the dams such that both the System and BSNP Changes played major roles in causing the flooding. However, in 2019, the increased runoff generally came below the dams such that the BSNP Changes played a greater role in causing that flooding, but both the System and BSNP Changes working in tandem still contributed to cause the flooding.

VII. Corps' Adoption of MRRP Deprioritized Flood Control to Benefit Basin Ecosystem and Fish and Wildlife – a Change from a Pre-Emptive Priority of Flood Control to a Reactive Priority of Flood Control

In order to effectuate the MRRP System and BSNP Changes to benefit the Basin ecosystem and fish and wildlife, the Corps in adopting the MRRP had to deprioritize flood control. Before the implementation of the MRRP, flood control was to be given the first priority in the Corps' management of the River at all times, meaning that, in making decisions in operating the System and in operating and maintaining the BSNP, the Corps erred on the side of flood control even if it meant harming other River interests, including the interests of fish and wildlife. This was a pre-emptive priority of flood control. However, after the MRRP was adopted, the Corps only gives flood control first priority

when flooding is imminent, a reactive priority of flood control, which comes too late to prevent the type of catastrophic flooding that has plagued the Basin for the last 12 years. While this change in flood-control priorities promoted the MRRP purposes, it has been a significant factor in causing an increase in the frequency and severity of flooding since 2004. Unless the Corps is mandated by Congress to restore the pre-emptive priority of flood control in its management of the River, the devastating flooding that plagues the Basin will continue unabated.

VIII. Where Best Interests of Humans and Fish and Wildlife Conflict, Human Considerations Must Take Priority

While the Basin stakeholders whose lives are being literally destroyed by government-induced flooding are not opposed to the Corps making some changes in its management of the River to benefit the Basin ecosystem and fish and wildlife, they are opposed to the Corps forcing them to sacrifice their ways of life and their property to accomplish that public purpose, especially without any compensation. When the considerations of human beings and the interests of the Basin ecosystem and fish and wildlife are in conflict, common sense and logic dictate that the Government should give priority to the considerations of human beings over the interests of the Basin Ecosystem and fish and wildlife. However, because the Corps, since the adoption and implementation of the MRRP, defers to the United States Fish and Wildlife Service ("FWS") in making decisions of River management and MRRP compliance to benefit fish and wildlife, the interests of human beings have been rendered far less important with the adoption of the MRRP when in conflict with the interests of fish and wildlife. In fact, just recently, at the

urging of the FWS and in furtherance of the MRRP objectives, the Master Manual was further revised to incorporate the “preferred alternative” championed by FWS that allows flows of up to 60,000 cfs for the benefit of fish and wildlife, which alone will likely lead to increased flooding by blocking drainage into the River for months. This enhanced priority for the Basin ecosystem and fish and wildlife and the enhanced role of the FWS in the Corps’ river management decisions is troubling to the Basin stakeholders when it is their Government through Congress that has mandated the MRRP since 2004 and continues to mandate it.

IX. Common Sense and Logic Alone Dictate that the Adoption and Implementation of the MRRP System and BSNP Changes Contributed to Cause the Increase in the Frequency and Severity of Flooding

There have been numerous investigations and studies to determine whether the Corps’ MRRP System and BSNP Changes have contributed to cause the flooding since 2004, both as to severity and frequency. However, even without such investigations and studies, common sense and logic alone dictate that this is so. Regardless of the various investigations and studies, the role of the MRRP in causing the 2019 flooding and the related flooding in flooding since 2004 would seem to me to be obvious under the circumstances. That is so because the Corps’ MRRP System and BSNP Changes to reconnect the River to the floodplain were a reversal of the very mechanisms that it used to provide flood control as the number one priority of its management of the River.

Logically, it is natural that a reversal of flood control measures would lead to an increase in the frequency and severity of flooding. Moreover, once the MRRP Changes were implemented and the drought ended in 2006, the frequency and severity of flooding

did, in fact, start in 2007 and has not stopped since. That cannot be mere coincidence. So, for the Corps to contend that the MRRP System and BSNP Changes did not contribute to cause the devastating flooding since 2004 defies common sense and logic.

Almost all of the MRRP changes by the Corps since 2004 were simply to reverse the very River management mechanisms that the Corps used to provide flood control as the first priority of its River management policy. The Corps has admitted that the reversal in the various flood control mechanisms that were employed to disconnect the River from the floodplain to provide maximum flood control helped to reconnect the River back to the floodplain to benefit the Basin ecosystem and its fish and wildlife. In fact, the Corps has admitted that the adoption and implementation of the MRRP was to undo the damage done to the Basin ecosystem and fish and wildlife as a result of its decades of managing the River to disconnect it from the floodplain to provide maximum flood control to induce people and businesses to locate and invest in the Basin, which had been mandated by Congress pursuant to the Flood Control Act of 1943 ("FCA") and the Bank and Stabilization Act of 1945. For example, to provide flood control, the Corps removed the natural chutes that during high-water events directed water into the floodplain. This was done to disconnect the River from the floodplain. Now, under the MRRP, those chutes are being restored to reconnect the River to the floodplain. Similarly, the wing dikes were constructed to disconnect the River from the floodplain by protecting the banks from erosion that allowed water to flow into the floodplain. Now, under the MRRP, the wing dikes are being notched or purposively allowed to degrade to help reconnect the River to the floodplain by eroding the banks. In other words, when Congress mandated a greater priority for benefitting the

Basin ecosystem and fish and wildlife due to the damage caused by the Corps flood control efforts, the Corps logically began reversing and dismantling the very management mechanisms that it had used to make flood control its first river-management priority. This alone makes it clear that the Corps' MRRP System and BSNP Changes have led to the increased flooding in question.

It must also be pointed out that at no time has the Corps been able to credibly establish that any significant climate change is responsible for the increase in flooding and would have happened regardless of whether the Corps had adopted and implemented the MRRP. In pending federal inverse condemnation takings actions brought under the Takings Clause of the Fifth Amendment, including in the *Ideker* case, the Corps has never presented any credible evidence to show a connection between the increase in flooding and any climate change. In fact, Government experts in those cases have found not to be credible as to such a defense. Moreover, even if climate change could be tied to the increase in flooding that has occurred since the adoption and implementation of the MRRP, credible experts have found that even factoring in some increase in weather related events that would cause greater runoffs does not account for the increase in flooding. Rather, they concluded that even accepting the increase in runoffs due to any climate change, the flooding would still not have increased as to frequency and severity but for the MRRP System and BSNP Changes.

In claiming that the MRRP did not cause the increase in flooding, the Corps necessarily would have to admit to failing to reconnect the River to the floodplain and that it has failed in its Congressional mandate to give greater priority to repairing the damage

caused by flood control to the Basin ecosystem and fish and wildlife. I have not heard any such admission. Rather, the Corps has tried to have its cake and eat it too by admitting it has been successful in reconnecting the River to the floodplain to benefit the Basin ecosystem and fish and wildlife, but that has played no role in the increased flooding even though previously it had determined that disconnecting the River from the floodplain was vital to providing a level a flood protection mandated by the Congress in the FCA and Bank and Stabilization Act of 1945. One does not have to be a rocket scientist to understand this is not an argument grounded in common sense and logic, but simply an argument to deflect any responsibility or liability for causing the increased flooding.

Further proof of the Corps' understanding of what would occur if the MRRP was implemented can be found in the fact that it appears that the MRRP was a back-door approach by the Corps to accomplish what it could not achieve by the front door by exercising its power of eminent domain. In that regard, the law allows the Government to take private property to accomplish a public purpose such as protecting fish and wildlife by exercising its power of eminent domain – condemning property through formal legal proceedings and then justly compensating the private landowner for the property taken. However, there are times where the Government for one reason or another does not formally exercise its power of eminent domain, but nonetheless accomplishes its public purpose by taking private property without just compensation, which is called inverse condemnation and is what I believed happened here.

Here, when it became clear that the Corps needed to mitigate the ongoing damage being done to the ecosystem of the Missouri River Basin and its fish and wildlife due to

flood control projects, Congress authorized the Willing Sellers Program under the Water Resources Development Act or WRDA. Under this program, the Corps was to purchase land for mitigation projects like the MRRP because the Corps, as well as Congress in authorizing the program, knew that such projects would likely cause damage to private property along the River due to an increase in the frequency and severity of flooding. Unfortunately, the Program was a failure due to a lack of willing sellers and a lack of funding. As a result, the Corps was faced with either not implementing the mitigation projects to benefit the ecosystem and fish and wildlife or rolling the dice as to flood control and hoping that the reconnecting of the River to the floodplain would not result in any increase in the frequency and severity of flooding. Unfortunately, while the Government and the Corps' gamble of no longer giving first priority to flood control in river-management paid off for fish and wildlife, it predictably inflicted untold damage and misery to the human beings who live along the Missouri River.

X. Increased Flooding Caused by MRRP Changes Is Not a Case of Corps Mismanagement, but a Case of a Change in River Management Policies

Just as in 2011, in discussing the Corps' flood risk management as to its role in the 2019 flood, references have been made to its "mismanagement." However, the Corps, in managing the River since 2004, has dutifully complied with the government-mandated MRRP River management changes. So, in discussing the Corps' role in causing the 2019 flooding, as well as the related flooding occurring since 2004, it is not a case of the Corps' mismanagement, rather, it is a case of a change in its management policies pursuant to the MRRP that was mandated by Congress. And, because the MRRP is still being

implemented by the Corps in managing the River, any discussion of its flood risk management of the River and its effect on flooding for any given year, including 2019, must start and end with the MRRP Changes and their impacts on the flooding. The fact is that unless and until the MRRP policies and flood-control priorities are no longer binding on the Corps, more of the same devastating flooding experienced in 2011 and 2019 is inevitable.

XI. By Various Congressional Acts, as Interpreted by Federal Courts, Congress Mandated the Adoption and Implementation by the Corps of the MRRP, and It Alone Can Stop the Increased Flooding Caused by It

I, like my friends and neighbors, in the beginning wanted to believe that the Government is sympathetic to the destruction by flooding that it has forced upon them by the Corps adopting and implementing the MRRP to benefit the Basin ecosystem and fish and wildlife and that it is willing to take whatever immediate action is necessary and just to correct this untenable situation, including compensating them for the damages caused. However, by the Government and Corps' actions to date, the contrary would seem to be the case.

The Corps knew or should have known that when it implemented the MRRP Changes it would be playing Russian roulette with flood control given the inevitability of high-water events, but it had no choice since it was being mandated by Congress to adopt and implement the MRRP when the Willing Sellers Program failed. It had to hope that somehow it could get lucky and avoid the likely catastrophic flooding that would occur during predictable high-water events initiated by Mother Nature. Unfortunately, the Basin stakeholders had no effective voice in deciding whether it was okay with them to take this

horrible risk and play Russian roulette with their lives. Congress and the Corps made the decision that would potentially require the Basin stakeholders to sacrifice for the good of the Basin ecosystem and fish and wildlife – a risk Congress was willing to take, and a risk the Corps was being forced to take by Congress. Yet, when inevitably this decision by Congress and the Corps resulted in such sacrifice, there has been no attempt by the Government to provide the just compensation to which the Basin stakeholders are entitled for such sacrifice under the Takings Clause of the Fifth Amendment. Rather, the Government has fought tooth and nail, using the stakeholders own tax money, to prevent them from receiving any compensation for the sacrifice that was forced upon them, with Congress simply standing on the sideline contemplating how this happened and wondering whether it can somehow act to control the Corps, even though the Corps is an agency of the Government and Congress mandated the very Corps' actions that are at the heart of this controversy. Understandably, Basin stakeholders are at a complete loss as to why the Government is not acting to correct this catastrophic situation when, in fact, it contributed to cause it.

I will not take the time to chronicle further my frustration with the Corps' refusal to admit what is obvious from the facts – that in authorizing and implementing the MRRP and making a change in the way it manages the River contributed to cause the increase in the frequency and severity of the flooding along the River. I appreciate that there is pending federal litigation against the United States in which the Corps has been instructed by the Department of Justice not to make any incriminating statements that would lead to liability for the property taken by the Government to implement the MRRP to benefit fish

and wild life. I will, however, make further comment on the United States Government failing to act.

The Corps could not have acted to adopt and implement the MRRP without the authorization of the Government – meaning Congressional authorization. The Corps simply acted as an agent of Congress in adopting and implementing the MRRP. So, any blame for the change in Corps flood risk management that led to this manmade flooding must be placed squarely where it belongs – on Congress. So, as much as I am frustrated by what the Corps is and is not doing with respect to flood risk management, I am even more frustrated by what the Congress is and is not doing to fix this problem. The Corps did not cause this problem, Congress did and it has the responsibility to fix it – not the Corps.


The catastrophic flooding of 2011 should have been a wakeup call for the Corps' boss, Congress, to order the Corps to terminate the MRRP or make significant changes in its MRRP flood risk management to insure that the frequency and severity of flooding is not increased by the Corps River management policies favoring fish and wildlife over humans. Yet in the past 8 years, Congress has done little or nothing except to offer prayers and thoughts, which are appreciated, but won't fix the problem. The prayers and thoughts of 2011 did nothing to reduce the likelihood of the 2019 flooding, the type of flooding that is going to continue until Congress quits simply talking a good game and does its job to stop this nightmare.

Congress needs to quit acting as if the Corps does not have a boss and there is nothing it can do to affect the way the Corps manages the River. The buck in this case

stops with the Congress. And, while I appreciate those in Congress who have made real efforts to make a difference, but failed for a lack of cooperation from others in Congress, it may be time to elect representatives who will attach the proper importance to this issue and are willing to expend their political capital to terminate the MRRP or amend it to re-establish flood control as a pre-emptive priority of the Corps' management of the River. Another alternative, if the Congress continues to strike out, is to request the President to step in and order the Corps to make the necessary changes in its river management policies. I am confident that the President will act swiftly to protect citizens who are the victims of government action that prioritizes fish and wildlife over human beings.

Dated: April 14, 2019

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Leo Ettleman", is written over a horizontal line.

**Leo Ettleman
Missouri River Basin Stakeholder
Farmer & Community Advocate
Fremont County, Iowa**